

REMARKS

The Applicant thanks the Examiner for the detailed comments in the Office Action mailed February 27, 2009.

The Applicant has amended the drawings, specification and claims without adding any new subject matter. The amendment to Figure 5 merely exaggerates the thickness of the lines already identified as x and y in Figure 5 and as disclosed in the specification in paragraph [0028] of the specification, providing the vertical course of the single barrier layer that runs without interruption. The amendment to Figure 5 merely exaggerates the width of the lines that are already present and identified in Figure 5. The new drawings, Figures 6A-6C, merely schematically display a straight line (already shown in Figure 5) and add a zigzagged and curved course, with the curved course “designed as sinusoidal or cosinusoidal” as fully disclosed and supported in paragraph [0029] of the specification. Any person having ordinary skill in the art would recognize the term zigzagged as being represented by the schematic drawing of Figure 6B and sinusoidal or cosinusoidal as being represented by the schematic drawing of Figure 6C. Therefore, none of the amendments to Figure 5 or the new drawings of Figure 6A-6C enter any new subject matter not already fully disclosed within the specification.

Claim 29 is supported by the specification and the drawings, as amended. Figure 1 now schematically illustrates the intermediate space, etc., and paragraph [0016] discloses the details of the shaping of the insulation package within such an interior space.

New claims 34-35 adopt the limitation of claim 33 and depend from claims 1 and 2.

The replacement sheet of drawings for sheet 1/1 is in compliance with 37 C.F.R. 1.121(d).

The Applicant points out that “burn-through safe” and “burn-through unsafe” are well known terms of art, within the context of the claims and within the relevant art to a person having ordinary skill in the art. Specifically, “burn-through safe” is defined by the FAA. *See FAA NPRM Docket No. FAA-2000-7909, Improved Flammability Standards for Thermal/Acoustic Insulation Used in Transport Category Airplanes* (introducing a flame penetration (burn-through safe) test which involves exposure of insulation material mounted in

a test frame to a burner for 4 minutes). According to the test, insulation packages must prevent a flame penetration during the 4 minute interval of the test and must limit the amount of heat that passes through the blanket during the test. Only insulation passing this test is deemed “burn-through safe” by the FAA. Insulation not passing this well defined, standard test in the art is known to be “burn-through unsafe.” Therefore, the terms used in the claims are not indefinite to a person having ordinary skill in the art within the context of the specification and the claims that are directed to burn-through safe insulation structures for “...insulation structure positioned inside an intermediate space, which encloses a fuselage internal paneling and a fuselage external skin of an aircraft...,” as disclosed in paragraph [0016], which identifies the assumptions made in regard to the insulation structure specified. Thus, a person having ordinary skill in the art is directed to the well known definitions for such terms of art as “burn-through safe” and “burn-through unsafe.”

This well known definition for the terms used in the claims and the amendments to the claims to overcome the rejections on page 3 under 35 U.S.C. 112, second paragraph, and to correct other formalities and clerical errors in the structure of the claims, should provide clarity as to the meaning of the claims. Thus, the properly interpreted claim scope is neither anticipated by nor obvious over the references cited.

None of the references, taken alone or in combination, teach or suggest all of the limitations of the claims to a person having ordinary skill in the art.

The Fay reference fails to teach or suggest any insulation package that is positioned inside an intermediate space between internal paneling and the external skin of a vehicle. And the Fay reference fails to teach or suggest the limitations of claim 1, 2, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 32 and 33-35 and other limitations of the independent and dependent claims. Instead, Fay teaches only three insulation layers 22 of glass fibre blankets and two interleave layers 24 of glass fibre mat coated on both sides with Vermiculite, encapsulated by a film of Mylar, column 4, lines 30-33. Nothing in Fay teaches or suggest the use of a “fluffy” material such as that required by the Lea reference, which must be able to fold and unfold to cover and shield a rupture, crack or puncture in the wall structure of an aircraft. See Abstract of the Lea reference and throughout. Indeed, no person having ordinary skill in the art would combine the teachings of Fay and Lea in the way suggested in the Office Action, and even if combined, the

references fail to teach or suggest all of the limitations of the claims, because the references would be merely combined as a panel attached to Fay's insulation blankets. Thus, the claims are nonobvious over the references, either alone or in combination. The Applicant traverses the assertion that a person having ordinary skill in the art would be able to make the combinations suggested based merely on common sense reasoning or otherwise.

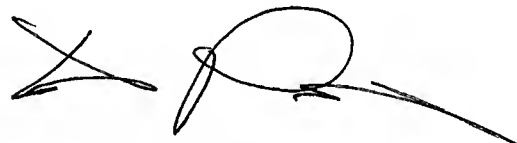
The Applicant fails to follow why a combination of interal panelling such as that taught in Lca might be combined with Fay in the way suggested in the Office Action. The two systems are not teaching or suggesting the same components, and there is no motivation or logical reason to combine the teachings in the way suggested, except for hindsight reasoning, based on the Applicant's own specification and claims.

If any fee is required, please charge it to deposit account 500864.

No new matter has been added by any of the amendments. Applicant respectfully requests entry of the amendments and allowance of all of the pending claims, which are now in condition for allowance.

Date: May 27, 2009

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Christopher Paradies', with a stylized flourish extending to the right.

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